FILED KENNETH J. MURPHY CLERK

IN UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

83 OCT 24 PM 2: 44:

ANGELO ROBINSON

Case no. C-1-00-918

WEST OF CINCIHNATI Judge Sandra S. Beckwith

Petitioner-Appellant

Magistrate Timothy S. Hogan

VS.

PETITIONER'S NOTICE OF

INTENTION TO FILE APPLICATION

FOR CERTIFICATE OF

APPEALABILITY

JAMES HAVILAND

Respondent-Appellee

Petitioner, Angelo Robinson, through the undersigned counsel, hereby gives notice of his intention to file an Application for Certificate of Appealability in the United States Court of Appeals for the Sixth Circuit. This Application will be filed as soon as possible in accordance with Rule 22 (a) of the Sixth Circuit Rules and 22 (a) (2) of the Sixth Circuit Internal Operating Procedures.

Respectfully submitted,

BERNARD F. WONG

Attorney for Appellant and

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Cincinnati, Ohio 45202

(513) 421-2730

Ohio Supreme Court Number: 0042145

CERTIFICATE OF SERVICE

This is to certify that a copy of this Notice was served by regular mail upon Bruce Horrigan, Assistant Attorney General, 615 West Superior Avenue, 11th Floor, Cleveland, Ohio 44113 this 24th of October, 2003.

Attorney for Appellant and Petitioner